

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	Case No. 1:13-cr-00066-TWP-DKL
DWAYNE MAJORS (01),	)	
	)	
Defendant.	)	

**ENTRY ON MOTION *IN LIMINE***

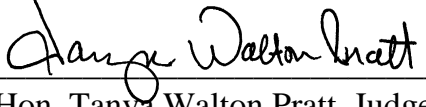
This matter is before the Court on a motion *in limine* filed by the United States of America (Dkt. 40). The United States asks the Court to exclude any evidence or arguments regarding the potential penalties in this case, as well as any attempts to elicit sympathy because the Defendant is *pro se*. Defendant Dwayne Majors has not responded to the motion, and the Court finds that such evidence and arguments are properly excluded. *See Shannon v. United States*, 512 U.S. 573, 579 (1994) (“It is well established that when a jury has no sentencing function, it should be admonished to ‘reach its verdict without regard to what sentence might be imposed.’”); *United States v. Kennedy*, No. 88 CR 437, 1989 WL 8586, \*3 (N.D. Ill. January 24, 1989) (granting Government’s motion to exclude fact that defendant filed for bankruptcy as such a fact was irrelevant to any issue of guilt or innocence and could only be offered to elicit improper sympathy from the jury).

Therefore, the Court **GRANTS** the United States’ motion *in limine* and orders that the Defendant is prohibited from introducing any evidence or arguments regarding the potential

penalties in this case, and should he proceed to trial *pro se*, he is prohibited addressing his *pro se* status in attempt to gain sympathy from the jury.

SO ORDERED.

Date: 03/11/2014

  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Distribution:

Michael J. Donahoe  
INDIANA FEDERAL COMMUNITY DEFENDERS  
mike.donahoe@fd.org

Bradley Paul Shepard  
UNITED STATES ATTORNEY'S OFFICE  
brad.shepard@usdoj.gov